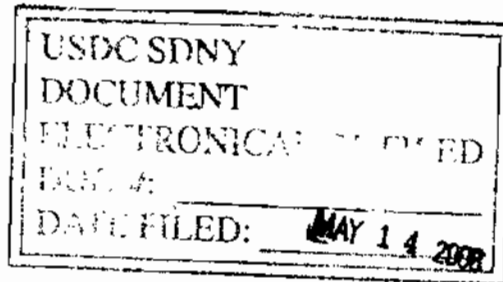


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May 13, 2008

BY TELEFAX (212-805-6737)

The Honorable George B. Daniels
United States District Judge
United States District Court
Southern District of New York
United States Courthouse
500 Pearl Street
New York, New York 10007

Brochart KB v. Vilsons Shipping PVT, Ltd.
SDNY Docket #: 07 Civ. 4729 (GBD)

Honorable Sir:

We are counsel for Plaintiff in the referenced matter. We spoke to your chambers approximately two weeks ago regarding Plaintiff's intention to file a motion for a default judgment against the Defendant for failure to appear despite its property being attached and its being notified of such attachment pursuant to Rule B(2)(b) of the Supplemental Rules for Certain Admiralty and Maritime Claims and Asset Forfeiture Actions of the Federal Rules of Civil Procedure. The matter presently is scheduled for a conference this Thursday, May 15, 2008, at 9:30 a.m.

Since Your Honor's chambers contacted us, we have been contacted by representatives of the Defendant after having not corresponded with them for nearly one year. The Defendant has proposed settlement of the matter and we are in the process of attempting to work out the details for settlement. In light of this unexpected and recent development, our client has instructed us to not file for default judgment against Defendant.

With regard to the pending court conference, the undersigned was advised last week by the United States Court of Appeals for the Second Circuit that an appeal that has been pending for the last nine months on which the undersigned is scheduled to argue in *Williamson et al. v. Recovery Limited Partnership et al.*, Docket No. 07-0548, has been set for argument at 10 a.m. on Thursday, May 15, 2008 causing a scheduling conflict with the previously scheduled conference set before Your Honor.

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2 - The Honorable George B. Daniels
May 13, 2008

In light of the unexpected approach from Defendant and the newly arisen conflict created by the Second Circuit, we respectfully request that the Court reschedule the conference with Thursday, June 12, 2008 as a control date for purposes of monitoring the parties' settlement. It is our intention that, before such control date, we will have a settlement agreement in place that will result in a proposed order to Your Honor to dismiss this proceeding.

Should Your Honor agree with our proposal, we have provided a So Ordered line below for Your Honor's endorsement. We thank Your Honor for his attention to this matter.

Respectfully submitted,
HOLLAND & KNIGHT LLP

By: 
Michael J. Frevola

MJF/mf

SO ORDERED:



U.S.D.J. **HON. GEORGE B. DANIELS** Date **MAY 14 2008**

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